

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

JONATHAN BOBNAR,

Plaintiff,

v.

ASTRAZENECA PHARMACEUTICALS LP,

Defendant.

Case No. 1:22-cv-02258-PAB

Judge Pamela A. Barker

**DEFENDANT’S MOTION FOR PARTIAL DISMISSAL OF PLAINTIFF’S
COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant AstraZeneca Pharmaceuticals LP (“AstraZeneca” or “Defendant”) respectfully moves this Court to dismiss Count III of Plaintiff’s Complaint with prejudice for failure to state a claim upon which relief can be granted. In support of this Motion, AstraZeneca incorporates and relies upon the Memorandum of Law submitted herewith.

WHEREFORE, Defendant respectfully requests that the Court grant their Motion to Dismiss and dismiss Count III of Plaintiff’s Complaint with prejudice.

Dated: February 24, 2023

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

/s/ Andrew J. Barber

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CERTIFICATE OF SERVICE

I, Andrew J. Barber, an attorney, certify that on February 24, 2023 I caused a copy of the foregoing to be filed with the Clerk of the Court using the Court's CM/ECF electronic filing system, which will provide electronic notice to all counsel of record.

/s/ Andrew J. Barber